

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Audrey GODDARD et al. Docket No.: 39780-2730P1C54
Serial No.: 09/989,328 Group Art Unit: 1646
Filing Date: November 19, 2001 Examiner: Elizabeth Kemmerer
For: **SECRETED AND TRANSMEMBRANE POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME**
EXPRESS MAIL LABEL NO.: EV 582 627 265 US
DATE MAILED: February 2, 2005

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97

MS: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication, except U.S. patents and patent application publications (1276 OG 55), is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §§ 1.97-1.98.

Each reference listed and denoted by an asterisk (*) has been cited in a related patent application, US Serial No. 09/992,643 (claiming PRO 1112 polypeptide); Our Ref. No. 39780-2730 P1C13 and/or US Serial No. 09/990,436 (claiming PRO 1112 antibody); Our Ref. No. 39780-2730 P1C14. A copy of each reference is provided herewith. Applicants submit these documents to ensure that all references are of record and considered in all related applications.

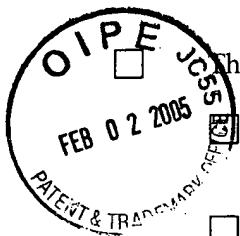
Based on a telephone conversation between Examiner Kemmerer and Daphne Reddy on 1/27/05, Applicants would like to file an Information Disclosure Statement with references cited or disclosed in the related polypeptide and antibody applications for PRO1112 (namely, US 09/992,643 and US 09/990,436). This Information Disclosure Statement is being filed merely to make these references of record in the above identified application. This disclosure would not impact the patentability of the allowed subject matter in the current application. Entry of the references are duly requested.

Applicants respectfully request the Examiner to acknowledge consideration of the currently submitted references by initialing and returning form PTO-1449 in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

02/07/2005 ANAB11 00000114 081641 09989320

02 FC:1806 180.00 DA



This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
☐ (2) It is being filed within 3 months of entry of a national stage
-- OR --
☐ (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.

☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:

- ☐ a certification as specified in §1.97(e) is provided below; or
☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:

- A. a certification as specified in §1.97(e) is completed below; and
B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; and
C. a fee of \$180.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$180.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 08-1641 (Docket No. 39780-2730P1C54).

Respectfully submitted,

Dated: February 2, 2005

By: _____
Ginger R. Dreger
Reg. No. 43,626

HELLER EHRMAN WHITE & MCAULIFFE, LLP
Customer No. 35489/09157
275 Middlefield Road
Menlo Park, CA 94025-3506
Telephone: (650) 324-7000 /Facsimile: (650) 324-0638



INFORMATION DISCLOSURE STATEMENT PTO-1449			ATTY. DOCKET NO.: 39780-2730P1C54		SERIAL NO.: 09/989,328		
			APPLICANT : Avi J. ASHKENAZI, et al.				
			FILING DATE: 11/19/2001		GROUP: 1646		
U.S. PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	* 5,874,082	2/23/1999	Mark de Boer	424	153.1		
FOREIGN PATENT DOCUMENTS							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
	* Hanna, J.S., et al., "HER-2/neu Breat Cancer Predictive Testing", Oathology Associates Medical Laboratores, August 1999.						
	* Hu et al, "Analysis of Genomic and Proteomic Data Using Advanced Literature Mining", Journal of Proteome Research, Vol. 2, pp 405-412, March 13, 2003.						
	* Hyman, Elizabeth, et al., "Impact of DNA Amplification on Gene Expression Patterns in Breast Cancer1,1, 2", Cancer Research, Vol. 62, pp 6240-6245, November 1, 2002.						
	* Orntoft, Torben F., et al., "Genome-wide Study of Gene Copy Numbers, Transcripts, and Protein Levels in Pairs of Non-Invasive and Invasive Human Transitional Cell Carcinomas", Molecular & Cellular Proteomics, Vol. 1.1, pp 37-45, 2002.						
	* Pollack, Jonathan R., et al., "Microarray analysis reveals a major direct role of DNA copy number alteration in the transcriptional program of human breast tumors", PNAS, Vol.99, No. 20, pp 12963-12968, October 1, 2002.						
	* Rolls et al., "A Visual Screen of GFP-susion Library Identifies a New Type of Nuclear Envelope Membrane Protein", J. Cell. Biol., Vol. 146, pp 29-43, 1999.						
EXAMINER			DATE CONSIDERED				

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.